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THE DIRECTOR OF CENTRAL INTELLIGENCE  
WASHINGTON, D. C. 20505

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NRO review(s) completed.

10 NOV 1976

MEMORANDUM FOR: The President

FROM : George Bush

SUBJECT : Modification of the Classification and  
Security Controls for the Products of  
Reconnaissance Satellites

1. This memorandum requests that you authorize the Director of Central Intelligence to change the classification and to modify the use of the special security controls relating to US satellite reconnaissance which were established by Presidential directives of 1960 and 1973.

2. These changes would constitute an important first step in implementing one of the duties assigned me by Executive Order 11905. Specifically, Section 3 (d)(1)(viii) states that the Director of Central Intelligence shall "establish a vigorous program to downgrade and declassify foreign intelligence information as appropriate and consistent with Executive Order No. 11652."

Background

3. In August 1960, shortly before the US satellite reconnaissance program began producing useful information, President Eisenhower directed "that the products of satellite reconnaissance, and information of the fact of such reconnaissance revealed by the product, shall be given strict security handling under the provisions of a special security control system approved by me." This was at a time when very few people were aware of the program and even the feasibility of using satellites for intelligence collection was considered sensitive. As the program progressed, tens of thousands of people were given access to the intelligence

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within the special security control system. It also became increasingly apparent that the special control system was unnecessarily inhibiting the full use of the information derived from the program.

4. As a consequence, in 1973, President Nixon authorized certain changes in the classification and access controls regarding the photographic products of the program:

-- The fact that the US conducts photographic reconnaissance was classified SECRET. This in turn required that information derived from and attributed to the program be classified SECRET or higher.

-- US officials were given access to much of the photography and information derived therefrom outside the special security control system, although the system still is used to protect the primary film itself and selected sensitive data.

5. These changes greatly increased the use of intelligence derived from the program, and there is no evidence that these changes have jeopardized the ability of the program to continue to provide intelligence. Nevertheless, there is now considerable pressure from our military commanders to make additional modifications in the classification of satellite reconnaissance and its product.

6. Much has changed since the 1960 decision to classify all aspects of the photographic reconnaissance program at TOP SECRET and within a special security control system. Now, the fact that the US conducts such reconnaissance has become public knowledge both at home and abroad. In these circumstances it has become difficult to justify the continued classification of this fact even at the SECRET level, and there are pressures for reducing the classification to CONFIDENTIAL or declassifying it.

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9. Clearly, determining the appropriate level of classification of satellite reconnaissance is a problem of balancing the benefits of better access to its products derived from lowering the minimum classification from SECRET to CONFIDENTIAL against the need for sufficient security protection to ensure the continued productivity of these satellites. The following is a summary of some of the views on this matter which were considered at a recent meeting of the National Foreign Intelligence Board:

a. Proponents for change argue that:

- CONFIDENTIAL is a more appropriate minimum classification for satellite reconnaissance than SECRET under the definitions of these two terms in Executive Order 11652.
- CONFIDENTIAL would be no less effective than SECRET in preventing official public acknowledgment of the fact of US satellite reconnaissance.
- Products removed from the special security control system would continue to be classified at a minimum of CONFIDENTIAL and would be classified higher if required by the criteria in Executive Order 11652.

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-- Many of the present procedures for removing satellite products from the special security control system are unnecessary and cause delays in the availability of intelligence and limit the usefulness of these products, especially for military planning and by field commands.

-- Significant amounts of satellite-collected information of minimum sensitivity, if minimum sensitive information is classified at the CONFIDENTIAL level, would be extremely useful to other consumers of intelligence, including lower-level military personnel in the field.

b. Opponents to change argue that:

-- The official public acknowledgment of the fact of satellite reconnaissance resulting from its declassification would provoke diplomatic protests from some foreign governments about US violations of territorial rights

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-- Changes in the classification and special security controls could provoke the Soviets to take actions against our reconnaissance and other satellites, actions ranging from passive concealment and deception to direct attacks against the satellites themselves. These kinds of reactions could jeopardize our ability to monitor present and future arms control agreements.

-- This is a particularly unpropitious time for any changes because of such factors as the recent Soviet anti-satellite activities and the current status of Soviet-American relations.

-- Any reduction in the classification or in the use of special security controls regarding satellite reconnaissance would be irreversible and cause a decrease in the effectiveness of the security afforded the still-classified aspects of our satellite reconnaissance.

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Conclusions

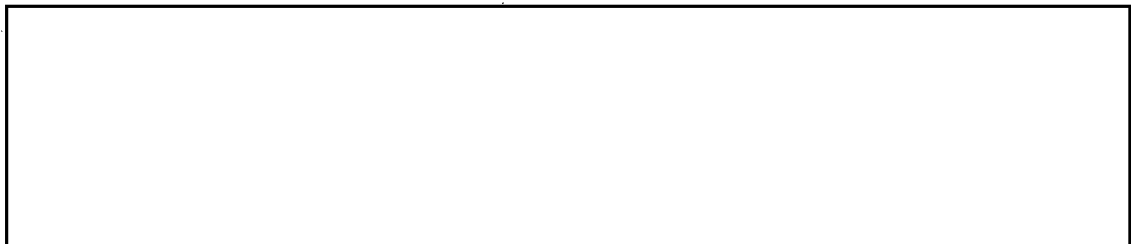
10. The balance I strike between the need for better access to the products of satellite reconnaissance and the need for protecting this intelligence source is as follows:

a. Because the official public acknowledgment that the US conducts satellite reconnaissance for intelligence purposes could provoke foreign reactions to it, this fact should not be completely declassified at this time. In accordance with the criteria presented in Executive Order 11652, the classification of "the fact of" satellite reconnaissance for intelligence purposes should be reduced to CONFIDENTIAL and handled outside the special security control system.

b. The special security control system should be used sparingly and exclusively for those products of satellites and certain data that reveal truly sensitive aspects of the program.

c. No changes should be made in the classification or the system of special security controls presently applicable to the operational aspects of the satellite reconnaissance program.

d. The classification of all other aspects of satellite reconnaissance and products attributed to it should be in accordance with the criteria presented in Executive Order 11652 and no lower than CONFIDENTIAL at this time.

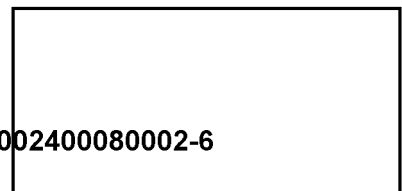


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Request

11. In accordance with Section 3(d)(1)(viii) of Executive Order 11905 and the spirit of Executive Order 11652, I request that you authorize the Director of Central Intelligence to make any or all changes discussed in paragraph 10

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as he deems appropriate and with due regard for his responsibility -- as stated in Executive Order 11905, Section 3(d)(1)(vii) -- to "ensure that appropriate programs are developed which properly protect intelligence sources, methods, and analytical procedures."

12. A draft memorandum granting this authority is attached for your consideration. If you grant this authority, I assure you that whatever changes I do make will be consistent with my statutory responsibilities and those provided in Executive Orders.

/s/ George Bush

George Bush

Attachment:  
Draft memo

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MEMORANDUM FOR:

The Honorable Brent Scowcroft  
Assistant to the President for  
National Security Affairs

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10 NOV 1976

Brent -

The attached memorandum from me to the President requests authority to change the classification and the use of special security controls for satellite reconnaissance. With this authority I will be in a better position to implement the part of E.O. 11905 which requires me to "establish a vigorous program to downgrade and declassify foreign intelligence information."

Arguments for and against change are in paragraph 9. CIA, State and the military are for change; ACDA, NRO and General Allen (NSA) are against.

If you have any questions about this matter, please let me know.



George Bush  
Director

Date

FORM 101 USE PREVIOUS EDITIONS



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THE WHITE HOUSE

WASHINGTON

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DRAFT

MEMORANDUM FOR: The Secretary of State  
The Secretary of Defense  
The Director of Central Intelligence

I hereby approve the request of the Director of Central Intelligence for authority to change the classification and to modify the use of the special security controls relating to United States satellite reconnaissance which were established by Presidential Memorandum of August 26, 1960 and modified by the President on November 23, 1973. Specifically, I authorize that:

(1) The Director of Central Intelligence may reduce to CONFIDENTIAL the classification of the fact that the United States Government conducts satellite reconnaissance for intelligence purposes.

(2) The Director of Central Intelligence may remove from the special security controls, presently applicable to satellite reconnaissance, the various products of such reconnaissance as he deems appropriate provided that (a)

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the products removed from the special controls under this authorization shall be classified according to the provisions of Executive Order 11652, and (b) such products shall not reveal the truly sensitive technical capabilities of current or future intelligence satellite programs. In order to maximize the utility of the products of satellite reconnaissance, the present special security control system shall be used sparingly to provide compartmented protection only for those aspects of satellite reconnaissance requiring such protection.

Furthermore, I direct that the Director of Central Intelligence shall continue to be responsible to the President for establishing policy guidelines for the security protection and control of information pertaining to the U.S. intelligence satellite collection program and the products derived from it. This will include the establishment and continued review of appropriate procedures, consistent with United States policy interests, for the release of satellite intelligence products or information derived therefrom to foreign governments.

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GERALD R. FORD

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Copy No. 2  
9 NOV 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM

: [Redacted]  
Deputy to the DCI for the Intelligence  
Community

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SUBJECT

: Modification of the Classification and Security  
Controls for the Products of Reconnaissance  
Satellites

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1. Attached for your signature is the final version as prepared by [Redacted] of the memorandum from you to the President on this subject.

2. As you will recall, this matter was considered by NFIB on 11 August 1976. At that time it was agreed that [Redacted] would make certain revisions in the memorandum and that the revised memorandum would be discussed by [Redacted] with Dr. Kissinger prior to submission to the White House. On 15 September 1976 word was received of Dr. Kissinger's agreement to the memorandum.

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3. It is my understanding that [Redacted] reviewed the attached memorandum with you prior to his departure. It was shown to the dissenters, NSA, ACDA and the NRO, all of whom suggested further changes (Attachments A, B and C, respectively).

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[Redacted]

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[Redacted]

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[redacted] General Allen has agreed to this paper. I do not feel that any of the comments submitted by ACDA or the NRO warrant changing [redacted] final version.

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4. I recommend you sign the attached memorandum to the President and also the attached note to General Scowcroft.

SIGNED

[redacted]

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Attachments:

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A

B

C

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Memo to President --

[redacted]

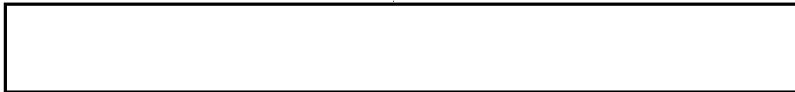
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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

WASHINGTON, D.C. 20451

September 20, 1976

COPY I

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MEMORANDUM FOR MR. WALTER ELDER  
EXECUTIVE SECRETARY, NFIB

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SUBJECT: Accuracy and Completeness of "Opponents' Arguments (including ACDA's views) as Stated in "Modification of the Classification and Security Controls for the Products of Reconnaissance Satellites"

1. It is recommended that paragraph 9b of the subject document be modified to reflect more accurately those views of "opponents to change" which are pertinent to the matter of lowering the minimum classification of satellite reconnaissance. It is this issue which is addressed by the "Proposals for change" in paragraph 9a in their argumentation.

2. We recommend the following changes:

a. para. 9b, first tick: substitute the following for this paragraph:

-- The purpose of keeping classified the fact of satellite reconnaissance is to restrain public discussion of a vital and sensitive intelligence program and to avoid the need for official recognition of such a program which might lead to a succession of further inquiries and disclosures. Downgrading the classification of the fact of satellite reconnaissance as proposed from SECRET to CONFIDENTIAL for photosatellites and from TOP SECRET-CODEWORD to CONFIDENTIAL for SIGINT satellite reconnaissance, implies lessening of concern about avoiding official recognition, invites broader discussion, and moves us closer to declassification.

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Rationale for the Recommended Changes: Accuracy and clarity of opponents' arguments.

b. para. 9b, second tick: substitute the following for this paragraph:

-- Downgrading the fact of SIGINT satellite reconnaissance from TOP SECRET-CODEWORD to SECRET, maintaining the fact of photo-satellite reconnaissance at the present SECRET level, and removing certain satellite product from the special security control system and classifying them at the SECRET level, would insure the timely availability of intelligence and of derived products for military planning by field commands. Potential delays in availability and limits on utility are not thought to be significantly different whether at the SECRET or CONFIDENTIAL level of classification. The SECRET classification would insure control of and accountability for all materials while the CONFIDENTIAL level would not.

Rationale for the Recommended Change: Current text of second tick presents rationale applicable only to declassification not to changes in the classification and special security controls. The recommended substitute paragraph makes the case for an overall SECRET level as the minimum classification of the fact of satellite reconnaissance and of the products from it, reflecting the views of "opponents to change" more closely.

c. para. 9b, third tick: omit this paragraph because it is irrelevant to the issue of changing the level of classification.

3. It is recommended that ACDA's position with regard to the proposed changes be stated more fully and more accurately. It is inaccurate to simply state that ACDA is against change.

-- ACDA opposes downgrading of the fact of satellite reconnaissance below a classification level of SECRET. Lowering the classification level of SIGINT satellite reconnaissance from



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TOP SECRET-CODEWORD to SECRET is acceptable to ACDA.

- ACDA does not oppose any of the changes proposed for the handling of materials from satellite reconnaissance efforts outside of special security controls, provided sources and methods as well as systems capabilities continue to be protected, and provided that the classification level for materials is at least SECRET for those materials where origin could be traced to satellite reconnaissance. However, if the origin of certain materials can be explained satisfactorily without traceability to satellite reconnaissance, ACDA would not oppose the selective release of such materials at the CONFIDENTIAL or even UNCLASSIFIED level.

*Bert C. Aschenbrenner*  
Bert C. Aschenbrenner  
Chief, Verification Division  
Verification and Analysis Bureau

WARNING NOTICE  
SENSITIVE INTELLIGENCE CONCEPTS  
AND METHODS EMPLOYED

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NATIONAL SECURITY AGENCY  
FORT GEORGE G. MEADE, MDLAND 20755

Serial: [REDACTED]  
22 September 1976

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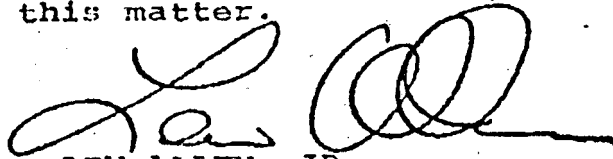
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MEMORANDUM FOR THE DEPUTY TO THE DCI FOR THE INTELLIGENCE  
COMMUNITY

SUBJECT: [REDACTED] Paper on "Fact Of"

It had been my understanding that the final draft of [REDACTED] paper would be made available for comment prior to dispatch. I learn that this is not to be the case. My concern is that mention of the reference to "signals intelligence" opens to a broader audience the sensitive fact of COMINT collection by satellite an area in which I believe the Soviets to have little or no knowledge - and does it in a way unnecessary to the purpose of the paper. I believe that minor rewording could accomplish my aim and retain security handling commensurate with the importance of this means of collection without altering the thrust of the paper. I would appreciate your assistance in this matter.



LEW ALLEN, JR.  
Lieutenant General, USAF  
Director

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(S) NATIONAL RECONNAISSANCE OFFICE  
WASHINGTON, D.C.

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OFFICE OF THE DEPUTY DIRECTOR

20 September 1976

25X1 MEMORANDUM FOR [ ] D/DCI/IC

SUBJECT: Modification of the Classification and Dissemination Controls for  
the Products of Reconnaissance Satellites

I have had the opportunity to informally review the paper prepared for Mr. Bush to sign to the President on the above subject. I had the distinct impression from my discussions with Mr. Bush at the NFIB meeting that I would be given an opportunity to resolve a number of concerns I had with the paper. I note here three points which I believe merit modification before the paper goes forward.

First, the paper states that there is no evidence that removal of some of the products of satellite reconnaissance from special security controls has in any way jeopardized the ability of the Program to continue to provide intelligence. I believe this overstates the case, for there is increasing evidence that the Soviets are working in the area of cover, concealment, and deception. Also, there has been observed somewhat of a revival in Soviet ASAT testing. Since we do not know the motives behind these Soviet actions, I suggest that this statement would be better left out of the paper.

The second point is that I do not believe the pro and con arguments are sufficiently well articulated.

The third point, which I consider very important, is the omission of a statement which appeared in the 1 July 1976 draft of this paper. The last sentence assured that if the President granted the requested authority, there would still be an airing of objections before policy changes were implemented. I believe this statement should be retained in the final memorandum. By virtue of point two, I believe additional discussion is warranted before a final decision is reached.

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[ ]  
Charles W. Cook  
Deputy Director

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